

PLANNING COMMISSION REPORT



MEETING DATE: June 23, 2004

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

Cuisine D'Amis - 5-ZN-2004
6926 E 2nd St.

REQUEST

Request to rezone from Multiple-Family Residential District, Downtown Overlay (R-5 DO) to Downtown/Office Residential Type 2, Downtown Overlay, (D/OR-2 DO) on a parcel located at 6926 E 2nd Street.

Key Items for Consideration:

- The proposed rezoning conforms to the General Plan.
- Rezoning from multiple-family residential to a downtown zoning district to allow for a take-out eatery and retail food store.
- No significant traffic impacts.
- Some opposition from nearby neighbors concerned about property values and service/loading off the alley.

OWNER

Jeff Minor Trustee of the El Dorado
Sales Benefit
602-363-6762

APPLICANT CONTACT

Suzanne Evans
Cuisine D'Amis
602-332-3954

BACKGROUND

Zoning.

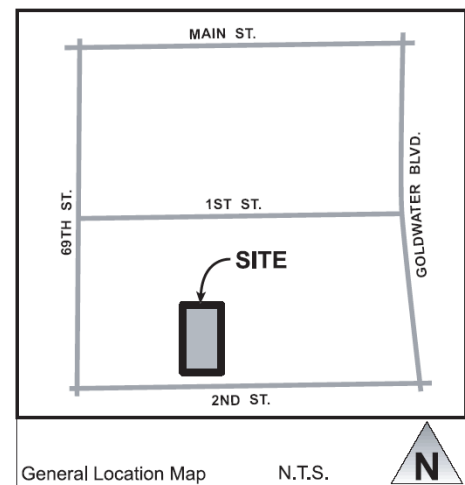
The site is currently zoned R-5 DO which is intended for high-density multiple-family residential development.

General Plan.

The General Plan Land Use Element designates the property as Office Residential, Development Type 2 (OR-2). This category includes a variety of office and commercial uses and mixed-use development. The Development Type refers to the site development standards that are applied with the Downtown zoning. In Development Type 2, the emphasis is on intermediate-scaled structures. The proposed rezoning conforms to the General Plan.

Context.

The subject site is located west of Goldwater Boulevard, on the north side of 2nd Street. The site is 10,250 square feet with an existing, vacant, single-



family residence. Surrounding land uses and zoning are described in the table below.

	General Plan Designation	Zoning	Existing Land Use
North	OR-2	R-5 DO and D/OR-2 DO	Single-family residence and offices
East	OR-2	R-5 DO	Single-family residence
South	RH-2	R-5 DO	Apartment complex
West	OR-2	D/OR-2 DO	Offices

APPLICANT'S PROPOSAL

Goal/Purpose of Request.

The applicant proposes rezoning to D/OR-2 to convert the existing single-family residence into a take-out gourmet food store. In addition, the applicant plans to make minor changes to the building elevations, add a parking area off the alley and enhance existing landscaping, which will be subject to Development Review Board review and approval.

Traffic.

The applicant submitted an abbreviated traffic impact study prepared by Olsson Associates, which is attached to this report (Attachment #7). The Transportation Department has reviewed the report (see Attachment #8 for the analysis summary) and determined the additional traffic generated from the change in zoning will be adequately serviced by the adjacent street system. The nearby intersection of Second Street and Goldwater Boulevard is a candidate for future signalization, primarily due to the Loloma Transit Center on the east side of the intersection. The site's other options for access include 68th Street, 69th Street, and the existing traffic signal at Main Street and Goldwater Boulevard.

Parking.

- 7 spaces are required, 7 are provided.

Development information.

- *Existing Use:* Vacant, single-family residential
- *Buildings/Description:* One single-family residence
- *Parcel Size:* 10,250 square feet
- *Basic Building Height Maximum:* 38 feet
- *Existing Building Height:* Approximately 12 feet
- *Floor Area:* 1580 square feet

Water/Sewer.

There are no anticipated water or sewer impacts.

Police/Fire.

There are no anticipated police or fire impacts.

Community Involvement.

The applicant met the requirements of the city's citizen review process (see Attachment #9 for the citizen review report). The applicant's outreach included sending letters regarding the rezoning proposal to property owners and homeowner's associations within 750 feet of the site, posting a 'project under consideration' sign, and hosting a neighborhood meeting, prior to submitting the rezoning application to the city. Prior to the Planning Commission hearing, the applicant posted a 'zoning/public hearing' sign on the site. Several neighbors attended the neighborhood meeting and the applicant received several phone calls, which are summarized in the attached citizen review report.

The city also sends information to property owners and HOA's within 750 feet of a site several days after receiving a rezoning application and before each public hearing. Staff received a letter from a nearby homeowner's association president (located southwest of the project) stating opposition to the rezoning and indicating a concern about property values. Staff also received several calls from citizens requesting more information about the rezoning request. One citizen was concerned about the use of the alley for loading.

Community Impact.

The request for downtown zoning continues the land use change in the area north of 2nd Street from single-family homes to commercial uses. While the majority of commercial uses in the area are generally office, the proposed take-out/retail food sales use creates a new destination opportunity for neighbors as well as the daytime office workers, and is within walking distance of downtown shopping/retail areas.

STAFF
RECOMMENDATION

Recommended Approach:

Staff recommends approval, subject to the attached stipulations.


RESPONSIBLE
DEPT(S)

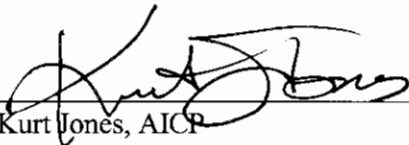
Planning and Development Services Department
Current Planning Services

STAFF CONTACT(S)

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APPROVED BY


Suzanne Colver
Report Author


Kurt Jones, AICP
Current Planning Director

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Land Use Map
4. Zoning Map
5. Stipulations
6. Additional Information
7. Traffic Impact Study
8. Traffic Impact Analysis Summary
9. Citizen Involvement
10. City Notification Map
11. Site Plan

Project narrative:

The project is an existing block home, constructed in approximately 1951. The current status of the neighborhood finds all but one house on the stretch of 2nd Ave between Goldwater and 68th Street to have been converted already to the DOR2 zoning.

This requested re-zoning will allow the current owner to operate cuisine d'amis, a French country style kitchen, selling gourmet take out foods of all varieties. cuisine d'amis owners, Suzanne Evans and Michael Sanchez, are both classically trained in French cooking. Their love of fresh ingredients and quality food will show in the products they will sell. Their plans for the backyard include parking to be accessed from the alley, a vegetable and herb garden for use in their cooking, and a pleasant patio for sitting.

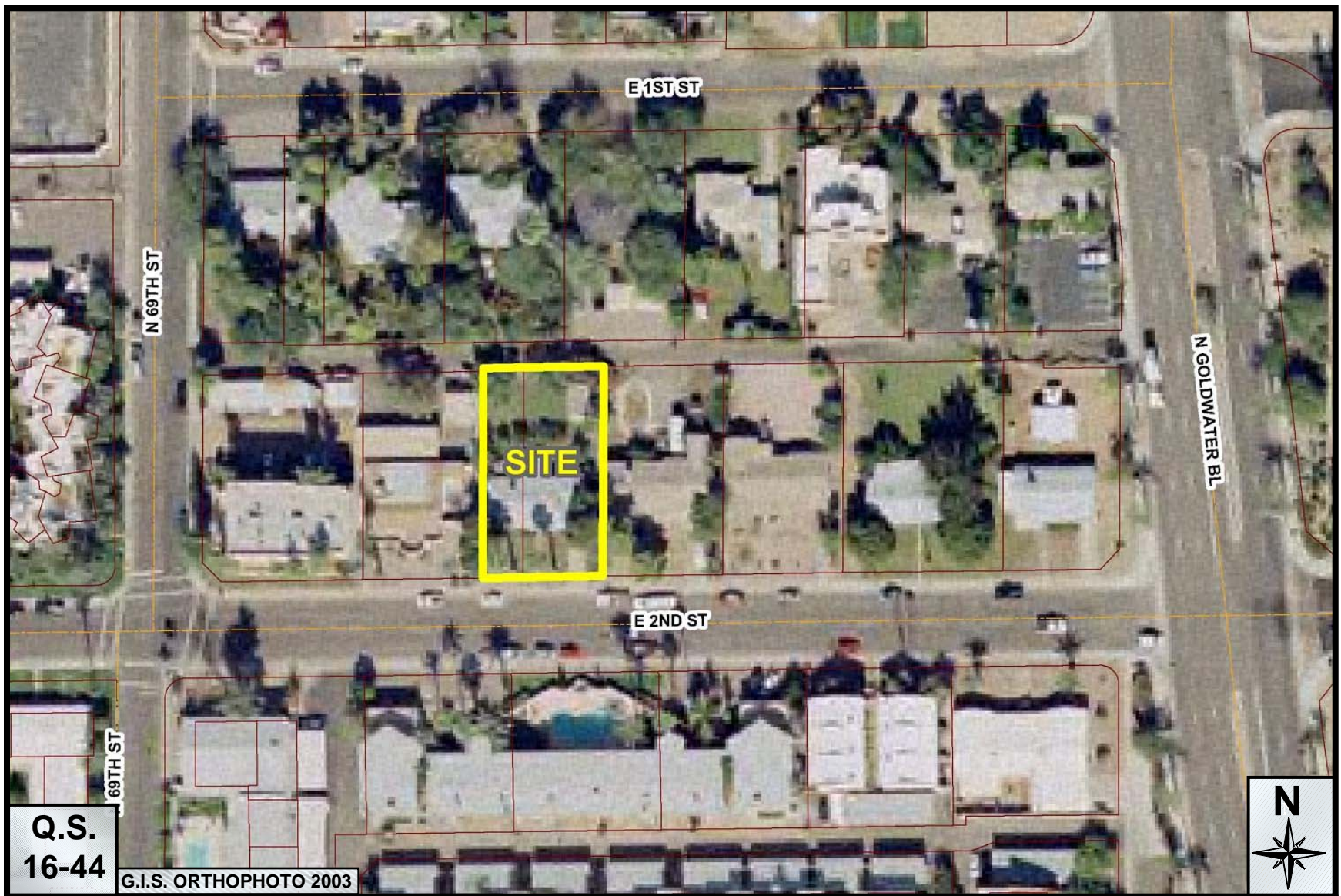
The front of the house will be a gentle conversion from house into a retail area. The front door will be enlarged, and the carport will be closed off for storage. Landscape will enhance a French country feel, as will trim colors and windows.

The interior will be converted to accommodate the current codes for ADA requirements for bathrooms and access, fire sprinklers, and HVAC requirements. The kitchen will be enlarged into a commercial kitchen, with the extra space coming from an existing storage/laundry room. No building additions are planned at this time.

We feel this business will have a positive impact on the downtown Scottsdale area. cuisine d'amis will enhance the city's goal of interesting and unique stores, restaurants and galleries that are a destination spot for tourist and locals alike. The warm inviting feel of cuisine d'amis will quickly become a part of the neighborhood, an inviting place to stop by and pick up a great meal, a loaf of bread or ingredients for a one's own gourmet cooking.



ATTACHMENT #2



Q.S.
16-44

G.I.S. ORTHOPHOTO 2003

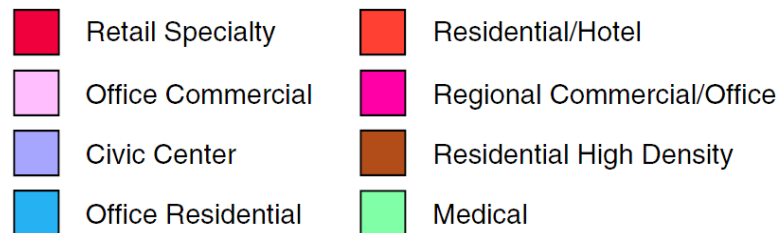
Cuisine D'Amis

5-ZN-2004

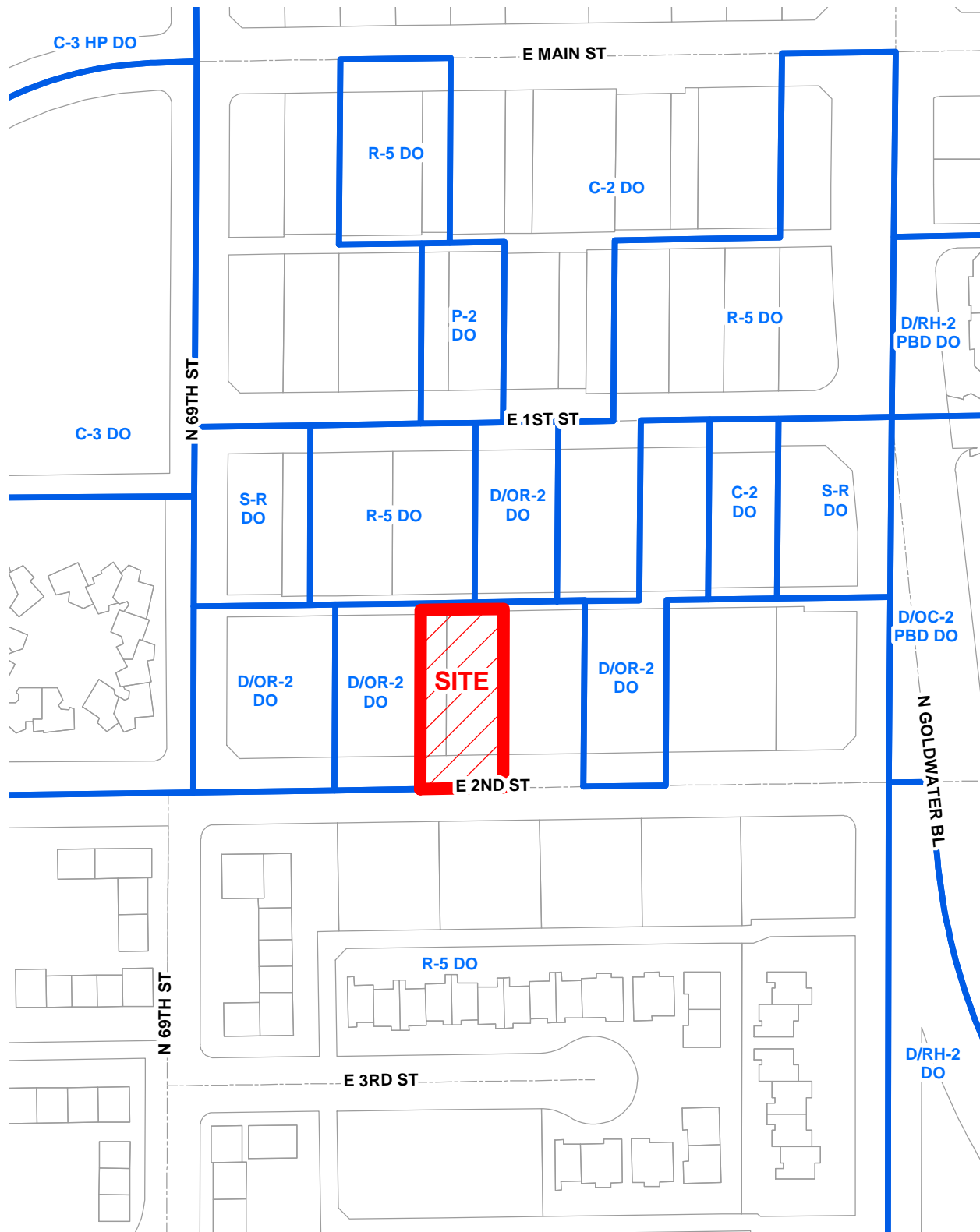
ATTACHMENT #2A

The map displays the Indian School area in Scottsdale, Arizona. Key features include:

- Streets:** 68th, 69th, and 70th streets running east-west; Indian School Road running north-south; and Goldwater Avenue running north-south.
- Zoning Districts:**
 - RH-2 (Residential High Density):** Shaded in light blue, located on the west side of Indian School Road.
 - OR-2 (Office Professional):** Shaded in light green, located between 69th and 70th streets on the west side.
 - OC-2 (Office Community):** Shaded in light orange, located on the east side of Indian School Road.
 - RS-1 (Residential Single-Family):** Shaded in light purple, located on the east side of Indian School Road.
 - RS-2 (Residential Single-Family):** Shaded in light yellow, located on the east side of Indian School Road.
- Proposed Site:** A yellow square labeled "SITE" is located in the OR-2 district, bounded by 69th St and 70th St.
- Other Labels:** "GOLDWATER" and "SCOTTSDALE" are labeled along the bottom edge of the map.



5-ZN-2004
ATTACHMENT #3



5-ZN-2004

ATTACHMENT #4

STIPULATIONS FOR CASE 5-ZN-2004

CIRCULATION

1. ALLEY DEDICATION AND CONSTRUCTION. Before issuance of any certificate of occupancy for the site, the developer shall dedicate the following alley right-of-way and construct the following street improvement, in conformance with the Design Standards and Policies Manual, to the satisfaction of city staff:

Street Name/Type	Dedications	Improvements	Notes
Alley	10 feet for the alley	Pave alley with asphalt pavement	8' alley existing, 2' dedication required

DRAINAGE AND FLOOD CONTROL

2. PRELIMINARY DRAINAGE REPORT. With the Development Review Board submittal, the developer shall submit a preliminary drainage report and plan, subject to city staff approval. The report and plan shall be in conformance with the Design Standards and Policies Manual - Section 2.1 – “*Drainage Policy, Downtown Scottsdale*.” In addition, the drainage report and plan shall:
 - a. Identify all storm water runoff entering and exiting the site, and calculate the peak discharge (100-yr, 6-hr storm event) for a pre- versus post-development discharge comparison of all storm water runoff that exits the property.
 - b. Demonstrate how the storm water storage requirement shall be satisfied, indicating the location, volume and drainage area of all storage.
 - c. Include flood zone information to establish the basis for determining finish floor elevations in conformance with the Scottsdale Revised Code.
3. STORM WATER STORAGE REQUIREMENT. On-site storm water storage is required for the full 100-year, 2-hour storm event, unless city staff approves the developer's Request for Waiver. See Section 2 of the Design Standards and Policies Manual for waiver criteria.
 - a. If applicable, the developer shall submit a Request for Waiver Review form, which shall:
 - (1) Include a supportive argument that demonstrates that historical flow through the site will be maintained, and that storm water runoff exiting this site has a safe place to flow.
 - (2) Include an estimate for payment in-lieu of on-site storm water storage, subject to city staff approval.
 - b. Before the improvement plan submittal, the developer shall have obtained the waiver approval.
4. FINAL DRAINAGE REPORT. With the final improvement plans submittal, the developer shall submit a final drainage report and plan subject to city staff approval. The final drainage report and plan shall be in conformance with the Design Standards and Policies Manual - Section 2.1 – “*Drainage Policy, Downtown Scottsdale*.” In addition, the final drainage report and plan shall:
 - a. Provide final calculations and detailed analysis that demonstrate consistency with the preliminary drainage plan and report accepted by City staff.
 - b. Demonstrate that historical flow through the site will be maintained:
 - (1) Storm water runoff exiting this site will not be relocated or redirected.
 - (2) The downstream streets will not be flooded (i.e. depth of runoff in the streets will not exceed the top of curb in a ten year storm nor eight inches in a one hundred year storm)

- (3) The adjacent storm drain system has capacity to manage any proposed increase in storm water runoff.
- c. Discuss how basins will be drained, (by gravity out-fall, pump, etc.)
 - d. Provide bleed-off calculations to demonstrate the discharge rate and time to drain on-site storm water storage basins and areas.
5. DRAINAGE EASEMENTS. Before any building permit for the site is issued, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual, all drainage easements necessary to serve the site.

WATER

6. BASIS OF DESIGN REPORT (WATER). Before the improvement plan submittal, the developer shall submit a basis of design report and plan, subject to approval from the Water Resources Department. The basis of design report shall conform to the Design Standards and Policies Manual. In addition, the basis of design report and plan shall:
 - a. Identify the location, size, condition and availability of existing water lines and water related facilities such as water valves, water services, fire hydrants, back-flow prevention structures, etc.
 - b. Identify the timing of and parties responsible for construction of all water facilities.
 - c. Include a complete description of requirements relating to project phasing.
7. NEW WATER FACILITIES. Before the issuance of Letters of Acceptance by the Inspection Services Division, the developer shall provide all water lines and water related facilities necessary to serve the site. Water line and water-related facilities shall conform to the city Water System Master Plan.
8. WATERLINE EASEMENTS. Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code the Design Standards and Policies Manual, all water easements necessary to serve the site.

WASTEWATER

9. BASIS OF DESIGN REPORT (SANITARY SEWER).). Before the improvement plan submittal, the developer shall submit a basis of design report and plan, subject to approval from the Water Resources Department. The basis of design report shall be in conformance with the Design Standards and Policies Manual. In addition, the basis of design report and plan shall:
 - a. Identify the location of, the size, condition and availability of existing sanitary sewer lines and wastewater related facilities.
 - b. Identify the timing of and parties responsible for construction of all sanitary sewer facilities.
 - c. Include a complete description of requirements relating to project phasing.
10. NEW WASTEWATER FACILITIES. Before the issuance of Letters of Acceptance by the Inspection Services Division, the developer shall provide all sanitary sewer lines and wastewater related facilities necessary to serve the site. Sanitary sewer lines and wastewater related facilities shall conform to the city Wastewater System Master Plan.
11. SANITARY SEWER EASEMENTS. Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual, all sewer easements necessary to serve the site.

ADDITIONAL INFORMATION FOR CASE 5-ZN-2004

PLANNING/DEVELOPMENT

1. DEVELOPMENT REVIEW BOARD. The City Council directs the Development Review Board's attention to:
 - a. Site plan design and conformance with the zoning code requirements

ENGINEERING

1. RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE. The developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning/use permit does not and shall not commit the city to provide any of these improvements.
2. FEES. The construction of water and sewer facilities necessary to serve the site shall not be in-lieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.
3. STREET CONSTRUCTION STANDARDS. The streets for the site shall be designed and constructed to the standards in the Design Standards and Policies Manual.
4. CITY CONTROL OF ACCESS. The city retains the right to modify or void access within city right-of-way. The city's responsibility to promote safe conditions for the traveling public takes precedence over the stipulations above.

Cuisine D'Amis
5-ZN-2004

Attachment #7. Traffic Impact Study

The above attachment is on file at the City of
Scottsdale Current Planning office,
7447 E Indian School Road, Suite 105.

**CUISINE D'AMIS
TRAFFIC IMPACT ANALYSIS SUMMARY
5-ZN-2004**

Prepared by: Phillip Kercher, Traffic Engineering
Traffic Study Prepared by: Paul Basha, Olsson Associates

Existing Conditions:

The subject site is located on Second Street between 68th Street and Goldwater Boulevard. Second Street is designated as a local commercial street. It is constructed to a full local commercial cross section with one lane in each direction. Parallel on-street parking is allowed.

68th Street is designated as a major collector between Indian School Road and Thomas Road on the city's Streets Master Plan. It is constructed to a full major collector cross section with two lanes in each direction separated by a raised median. Goldwater Boulevard is designated as a major arterial on the Streets Master Plan. It is constructed to a full couplet cross section with two northbound lanes and three southbound lanes separated by a raised median.

The intersection of Second Street and Goldwater Boulevard is currently stop controlled on Second Street. There are designated left turn lanes for the northbound and southbound approaches. There have been four reported accidents at the intersection during 2003 and six during 2002. The majority of collisions involve left turn movements.

Proposed Development:

The approximately 0.24-acre site currently has a zoning designation of Multiple Family Residential, Downtown Overlay (R-5 DO). The applicant is proposing to rezone the property to Downtown/Office Residential Type 2, Downtown Overlay, (D/OR-2 DO) to allow a take-out gourmet food store. Parking for employees will be provided in the rear of the site, accessed from an existing alley. Customer parking is anticipated to occur on Second Street.

The trip generation numbers for the proposed land use are presented in the table below. This trip generation estimate is based on data contained in the Institute of Transportation Engineer's *Trip Generation* manual.

TRIP GENERATION COMPARISON TABLE

Land Use	Daily Total	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Restaurant - 1,600 Sq. Ft.	203	10	9	19	11	7	18

The trip generation for the proposed land use under the Downtown/Office Residential zoning district would generate 203 trips per day with 19 during the a.m. peak hour and 18 during the p.m. peak hour.

The applicant submitted an abbreviated traffic impact study prepared by Olsson Associates. The study included the trip generation calculation and an analysis of the Second Street and Goldwater Boulevard intersection.

Future Conditions:

The intersection of Second Street and Goldwater Boulevard operates at Level of Service (LOS) A during the morning peak hour and LOS B during the afternoon peak hour for the northbound and southbound approaches on Goldwater Boulevard. The eastbound and westbound approaches operate at poor levels of service during both peak hours – LOS E and F for the eastbound approach during the a.m. and p.m. peak hours respectively, and LOS D and LOS F for the westbound approach during the a.m. and p.m. peak hours respectively. This is typical for unsignalized intersections along major streets for the minor street movements. The overall intersection level of service is good during the peak hours, LOS A, but the delay associated with left turns from the side streets results in a poor level of service for those approaches.

The site has other access options, including using 69th Street to Main Street to utilize the signalized intersection of Main Street and Goldwater Boulevard, using 68th Street to travel north, and using Goldwater Boulevard to Scottsdale Road. 69th Street also provides access to Indian School Road.

Other Information:

The intersection of Second Street and Goldwater Boulevard also provides primary access to the city's Loloma Transit Center on the east side of the intersection. It is likely that this intersection will be signalized in the future. Signalizing the intersection will improve the minor street level of service and will help to reduce the number of left turn accidents.

The applicant should provide an additional 2-foot alley dedication to conform to commercial alley standards.

Summary:

This case proposes to rezone a 0.24-acre parcel from Multi Family Residential (R-5) to Downtown/Office Residential Type 2, Downtown Overlay, (D/OR-2 DO) to allow the operation of a take-out gourmet food store. This development would likely yield 203 trips per day with 19 during the a.m. peak hour and 18 during the p.m. peak hour.

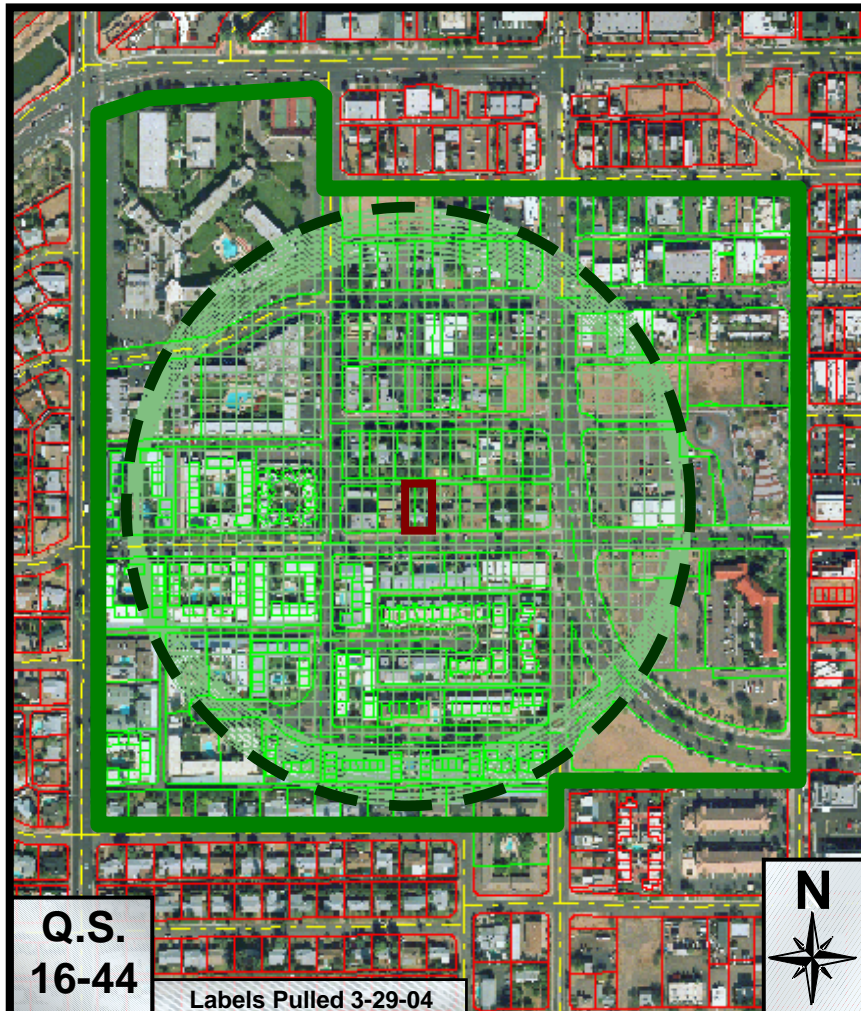
The nearby intersection of Second Street and Goldwater Boulevard experiences poor levels of service for the side street left turn movements. This intersection is a candidate for future signalization, primarily due to the Loloma Transit Center on the east side of the intersection. The site has many other options for access, including utilizing 68th Street and 69th Street, and accessing the existing traffic signal at Main Street and Goldwater Boulevard. The additional traffic that results from the change in zoning will be able to be adequately serviced by the adjacent street system.

Cuisine D'Amis
5-ZN-2004




Attachment #9. Citizen Involvement

The above attachment is on file at the City of
Scottsdale Current Planning office,
7447 E Indian School Road, Suite 105.

City Notifications – Mailing List Selection Map



Map Legend:

-  Site Boundary
-  Properties within 750-feet
-  Extended Selection
(Additional properties notified)

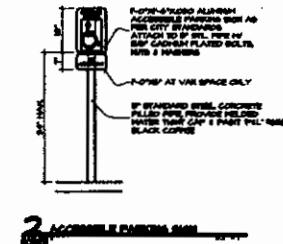
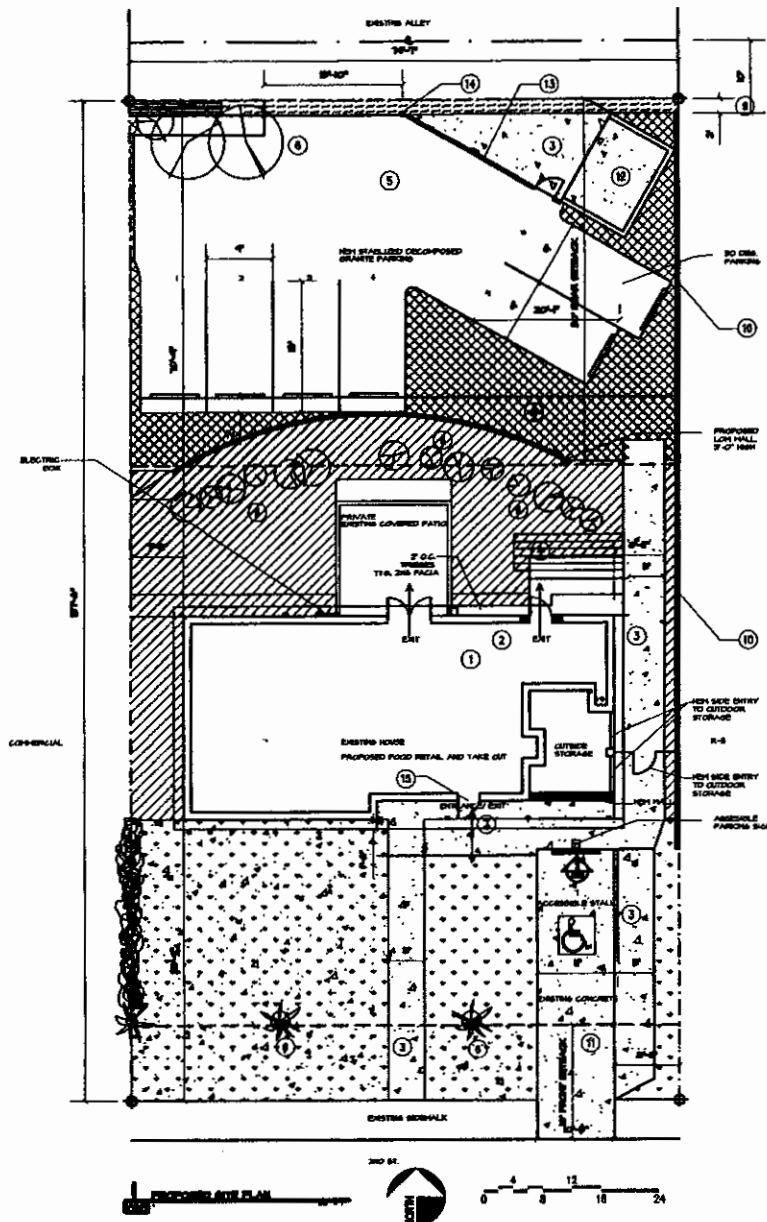
Additional Notifications:

- Interested Parties List
- Scottsdale Coalition
- Dayo Co-Owners
- Scottsdale Coalition
- Scottsdale Palms

Cuisine D'Amis

5-ZN-2004

ATTACHMENT #10



GENERAL NOTE:
 COORDINATE THE STRUCTURAL AND MECHANICAL DRAWINGS WITH THE ARCHITECTURAL DRAWINGS FOR RECS AND LOCATIONS.
 ANY DISCREPANCIES OR CONFLICTS SHALL BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING WITH WORK.

Project: **CUISINE D'AMIS REMODEL**
 SCOTTSDALE, AZ
 CITY, STATE
 Drawing Title: **PROPOSED SITE PLAN**



Revisions	Sheet Number
Date: 05/10/04	Job Number
Drawn By: RD	Drawn By: RD
Checked By: WRS	Checked By: WRS
	Sheet of